

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEW JERSEY

_____)	
)	Hon. Michael A. Hammer
)	
IN MATTER OF THE EXTRADITION)	Mag. No. 16-4122
OF MAHMOOD ASIF)	
)	<u>COMPLAINT</u>
)	
)	
_____)	

STATE OF NEW JERSEY :
: ss.
COUNTY OF ESSEX :

I, the undersigned Assistant United States Attorney, being duly sworn,
state on information and belief that the following is true and correct:

1. I represent the United States of America in fulfilling its treaty
obligation to the Government of Romania.

2. There is an extradition treaty in force between the United States
and Romania. See Extradition Treaty Between the United States of America
and Romania and the Protocol to the Treaty Between the United States of
America and Romania on Mutual Legal Assistance in Criminal Matters, U.S. -
Rom., September 10, 2007, S. TREATY DOC. NO. 110-11 (May 8, 2008)
(collectively referenced hereafter as "Treaty").

3. Article 1 of the Treaty provides that the United States and Romania
agree to extradite to each other "persons whom the authorities in the
Requesting State have charged with, found guilty of, or convicted of an
extraditable offense."

4. Article 2 of the Treaty provides that an “extraditable offense” includes offenses that are punishable by a term of imprisonment exceeding one year under the laws of both the United States and Romania.

5. Pursuant to the Treaty, the Government of Romania has submitted a formal request through diplomatic channels for the extradition of Mahmood Asif (“Asif”).

6. According to the information provided by the Government of Romania, Asif was charged with starting an Organized Crime Group in violation of Article 367 of the Romanian Criminal Code, and High Risk Drug Trafficking in violation of Article 2 (1-2) of Law no. 143/2000 on Preventing and Combating Illicit Drug Trafficking and Consumption committed within the jurisdiction of the requesting state. The crimes with which Asif is charged in Romania are punishable by a maximum term of imprisonment exceeding one year under the laws of Romania, the United States, and the state of New Jersey. Accordingly, the crimes with which Asif is charged are extraditable offenses under Article 2 of the Treaty.

7. A warrant for his arrest was issued on January 21, 2015, by the Bucharest Law Court, 1 Criminal Division in Romania. Based upon information provided by the Government of Romania, the facts underlying the issuance of a warrant for Asif’s arrest include the following:

a. Asif set up an organized crime group with Butt Abdul Aziz, a/k/a “LaLa” (“LaLa”), and Khush Rang Khan (“Khan”) to traffic and sell high-risk drugs, primarily heroin, from Pakistan through European countries to the

Netherlands.

b. Judicial court orders issued in Romania authorized electronic interception of phones used by Asif and LaLa to gather evidence that the criminal organization trafficked in excess of 202 kilograms of heroin from Pakistan to the Netherlands.

c. For example, on or about July 2, 2013, Asif, LaLa, and other co-conspirators discussed transporting heroin to the Netherlands hidden in cardboard boxes, which contained other legitimate merchandise. LaLa asked Asif to handle the documents for the shipment of heroin to the Netherlands, and Asif assured LaLa that the heroin would leave Pakistan for the Netherlands as previously planned. Asif also discussed with LaLa the purity of the heroin and the price that the heroin should yield because of its 90% purity.

d. On July 5, 2013, Asif notified a co-conspirator that the heroin had passed customs in Pakistan. Asif asked the person “to keep the silence, to be quiet . . . as there are many illiterates who listen . . . go to pray and we’ll talk afterwards.” Asif suggested that the person not attempt to contact a source with inside knowledge of Pakistan’s customs procedures for fear of raising suspicion about the shipment.

e. On July 20, 2013, Asif and LaLa discussed placing the heroin inside the walls of empty cardboard boxes.

f. On August 9, 2013, Dutch authorities seized 202 kilograms of heroin in a Rotterdam port that was packaged in the same manner as Asif had previously discussed with his co-conspirators. Specifically, the bags of

heroin were found in cutouts of the walls of the cardboard boxes.

g. Following the seizure in the Netherlands, Asif and his co-conspirators discussed the fact that the heroin had been seized in the Netherlands and how they would lose all the money that was paid as an advance for the drugs.

h. On August 15, 2014, Asif flew from Romania to Frankfurt, Germany. Asif was supposed to return to Romania on January 14, 2015, but then discovered that LaLa had been arrested for drug trafficking. Shortly thereafter, Asif told his wife, located in Romania, to leave with his family and move to the United States.

8. Mahmood Asif was arrested in Hoboken, New Jersey on November 19, 2016, and is currently incarcerated in Hudson County, New Jersey. Thus, he may be found within the jurisdiction of this Court.

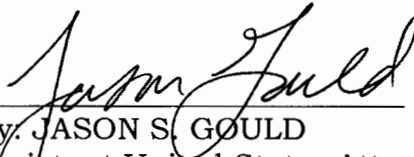
9. Tom Heinemann, an attorney in the Office of the Legal Adviser of the United States Department of State, has provided the Department of Justice with a declaration authenticating a copy of the diplomatic note by which the request for extradition was made and a copy of the Treaty between the United States and Romania. Heinemann's declaration states that the offenses for which extradition is demanded are covered by the Treaty, and confirms that the documents supporting the request for extradition bear the certificate or seal of the Ministry of Justice, or Ministry or Department responsible for foreign affairs, of Romania, in accordance with the provisions of Article 10 of the treaty. Heinemann's declaration is provided so as to enable these documents

to be received in evidence.


10. The declaration from the Department of State with its attachments, including a copy of the diplomatic note from the requesting state, a copy of the relevant extradition treaty, and the certified documents submitted in support of the request (marked collectively as Government Exhibits 1 and 2) are filed with this complaint and are incorporated by reference.

11. The person named above would be likely to flee if he learned of the existence of a warrant for his arrest and were he not currently incarcerated in Hudson County.

WHEREFORE, the undersigned requests that a warrant for the arrest of Mahmood Asif be issued in accordance with the Extradition Treaty between the United States and Romania, and Title 18, United States Code, Section 3184, so that the fugitive may be arrested and brought before this court, "to the end that the evidence of criminality may be heard and considered."


By: JASON S. GOULD
Assistant United States Attorney

Sworn to before me and subscribed in my presence this ^{23rd}~~22nd~~ day of November, 2016.


The Honorable Michael A. Hammer
United States Magistrate Judge